

Message Text

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C O N F I D E N T I A L ACCRA 1475

E.O. 11652: GDS

TAGS: PGOV, PINS, PINT, GH

SUBJ: BAR ASSOCIATION RENEWS CALL FOR CIVILIAN RULE

1. PRESS REPORTS GHANA BAR ASSOCIATION HAS AGAIN CALLED (ON FEB. 26) FOR RETURN TO CIVILIAN RULE BY NEXT YEAR. ASSOCIATION HAS URGED SUPREME MILITARY COUNCIL (SMC) TO ELECT A CONSTITUENT ASSEMBLY TO DRAFT AND PROMULGATE A CONSTITUTION FOR COUNTRY. ASSOCIATION ALSO SAID GHANAIS SHOULD BE FREE TO ORGANIZE POLITICAL PARTIES TO CONTEST ELECTIONS TO A NATIONAL ASSEMBLY, CLAIMING A KEY ADVANTAGE OF PARTY POLITICS WAS THAT IT "TRANSCENDS TRIBAL BARRIERS AND THUS UNITES PEOPLE ON THE BASIS OF IDEOLOGY OR VIEWS RATHER THAN OF TRIBE." FINAL, ASSOCIATION CALLED FOR DISSOLUTION OF AD HOC COMMITTEE ON UNION GOVERNMENT RECENTLY SET UP BY SMC TO COLLECT VIEWS ON THIS PROPOSED FORM OF GOVERNMENT.

2. RECALLING THAT ASSOCIATION HAS IN A STATEMENT LAST DECEMBER WELCOMED FORMATION OF AD HOC COMMITTEE, DAILY GRAPHIC WONDERED EDITORIALY, "WHY THIS CHANGE, BAR ASSOCIATION?" PAPER CONCLUDED THAT MEMBERS OF ASSOCIATION "WRONGLY BELIEVE THAT THEY HAVE THE DIVINE RIGHT OF RULE GHANA; THE INTRODUCTION OF UNION GOVERNMENT THEREFORE WILL FRUSTRATE THEIR HOPES AND ASPIRATION." EDITORIAL BLASTED SUGGESTION THAT PARTY POLITICS BE REINTRODUCED, CLAIMING THAT "PARTY POLITICS IN GHANA, FAR FROM UNITING THE PEOPLE, BREED DIVISIONS, HATRED AND BITTERNESS." PAPER BACKED ACTIVITIES OF AD HOC COMMITTEE BUT GAVE CAUTIOUS SUPPORT TO CALL FOR CONSTITUTION:

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"THERE IS CERTAINLY THE NEED FOR US TO EVOLVE OUR OWN CONSTITUTION BASED ON THE COUNTRY'S TRADITIONAL AND SOCIAL SET-UP. THE NEED TO EFFECT THESE CHANGES SHOULD BROOK NO DELAY."

3. PICKING UP THE CUDGELS FOR WHAT PROMISES TO BE A LENGTHY VERBAL BATTLE, GHANAIAN TIME EDITOR GYAWU-KYEM COMMENTED EDITORIALY FEB. 28 THAT "IN ALMOST EVERY AGE LAWYERS, AS A CLASS, HAVE CREATED

CONFUSION IN SOCIETY WHICH HAS OFTEN EXASPERATED THE PUBLIC." HE URGED BAR ASSOCIATION BE TREATED WITH SYMPATHY SINCE "FOR YEARS THEY HAVE SPENT THEIR TIME READING BOOKS AND ACQUIRING BOOK KNOWLEDGE. THEY MUST HAVE HAD LITTLE TIME TO LEARN ANYTHING OUTSIDE THE BOOK." CITING JEREMY BENTHAM, GEOFFREY SOREL AND AMERICAN LAWYERS AT THE PHILADELPHIA CONVENTION CIRCA 1786, HE POINTED UP THE PROBLEMS OF DEMOCRACY AND LECTURED THE BAR ASSOCIATION THAT "IT WAS CORRUPT POLITICIANS WITH THEIR SHAM AND FRAUDULENT POLITICAL PARTIES WHICH INVITED THE MILITARY TO INTERVENE." EDITORIAL IS TO BE CONTINUED.

4. COMMENT: BAR ASSOCIATION'S LAST CALL FOR A RETURN TO CIVILIAN GOVERNMENT (MADE IN SEPT. 1976) STIRRED UP A GOOD DEAL OF DEBATE IN PRESS AND INTEREST IN DIPLOMATIC CIRCLES. SMC'S DECISION TO PUSH IDEA OF UNION GOVERNMENT AND SUBSEQUENT SETTING UP OF AD HOC COMMITTEE WAS IN PART A RESPONSE TO PRESSURE FROM ASSOCIATION AND ITS SUPPORTERS. SINCE SMC REFUSES TO DEFINE WHAT IS MEANT BY UNION GOVERNMENT, AD HOC COMMITTEE HAS HAD A HARD TIME DRUMMING UP ANY REAL SUPPORT FOR CONCEPT AND IN FACT HAS BECOME AN OBJECT OF RIDICULE FOR ITS PAINS. WE BELIEVE THAT ASSOCIATION FEELS UNION GOVERNMENT CONCEPT IS DEFINITELY A NON-STARTER AND THAT ITS OWN STANDING CAN BE INCREASED BY BEATING A HORSE EVERYBODY BUT THE SMC KNOWS IS DEAD.

5. THE REAL HERESY IN ASSOCIATION'S STAND IS CALL FOR REINTRODUCTION OF PARTY POLITICS, WHICH IS OFFICIALLY ONE OF THE GREAT NO-NO'S HERE. UNION GOVERNMENT IDEA HAS BEEN PUSHED AS ONLY POSSIBLE ALTERNATIVE TO DIVISIVENESS AND CORRUPTION ALLEGEDLY INHERENT IN PARTY POLITICS AS PRACTICED IN GHANA. IF ASSOCIATION

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CAN SUCCESSFULLY CUT THIS PROP AWAY, CONCEPT CAN ONLY FALL OF ITS OWN WEIGHT. IN ANY CASE, SMC IN GENERAL AND ACHEAMPONG IN PARTICULAR MUST BE HIGHLY DISPLEASED BY ASSOCIATION'S STATEMENT AND WILL ALMOST CERTAINLY COUNTERATTACK IN SOME WAY.
SMITH

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Disposition Date: 22 May 2009
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